

INDEX OF MATTERS BEING FILED

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First Amended Petition	D
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## ATTACHMENT A

## LIST OF COUNSEL OF RECORD

Counsel for Plaintiff Transamerica Investment Group, Inc. dba Sky Cargo Solutions:

William W. Rucker  
3355 West Alabama, Suite 825  
Houston, Texas 77093  
713 528-2800

Counsel for Defendant Travis M. Hamilton

Michael S. Forshey  
Constance R. Ariagno  
Patton Boggs LLP  
2000 McKinney Ave. Suite 1700  
Dallas, Texas 75201  
214 758-1500

## ATTACHMENT B

HCDistrictclerk.com

TRANSAMERICA INVESTMENT GROUP INC (DBA  
SKY CARGO S vs. HAMILTON, TRAVIS M  
Cause: 201207149 CDI: 7 Court: 165

4/10/2012

**APPEALS**

No Appeals found.

**COST STATMENTS**

No Cost Statments found.

**TRANSFERS**

No Transfers found.

**POST TRIAL WRITS**

No Post Trial Writs found.

**ABSTRACTS**

No Abstracts found.

**SETTINGS**

No Settings found.

**DOCUMENTS**Proper credentials required. Please [login](#) or contact Harris County District Clerk's Office at (713) 755-7300.**SUMMARY****CASE DETAILS**

<b>File Date</b>	2/3/2012
<b>Case (Cause) Location</b>	Civil Intake 1st Floor
<b>Case (Cause) Status</b>	Active - Civil
<b>Case (Cause) Type</b>	BREACH OF CONTRACT
<b>Next/Last Setting Date</b>	N/A

**COURT DETAILS**

<b>Court</b>	165 <sup>th</sup>
<b>Address</b>	201 CAROLINE (Floor: 12) HOUSTON, TX 77002 Phone:7133686270
<b>JudgeName</b>	Josefina Muniz Rendon
<b>Court Type</b>	Civil

**ACTIVE PARTIES**

Name	Type	Post Jdgm	Attorney
TRANSAMERICA INVESTMENT GROUP INC (DBA SKY CARGO SOLUTIONS INC)	PLAINTIFF - CIVIL		RUCKER, WILLIAM W. JR.
HAMILTON, TRAVIS M	DEFENDANT - CIVIL		
SKY CARGO SOLUTIONS INC	PLAINTIFF - CIVIL		RUCKER, WILLIAM W. JR.
HAMILTON, TRAVIS M BY SERVING THE TEXAS SECRETARY OF STATE 1019 BRAZOS	REGISTERED AGENT		

**INACTIVE PARTIES**

No inactive parties found.

### JUDGMENT/EVENTS

Date	Description	Order Signed	Post Jdgm	Pgs Attorney
3/1/2012	AMENDED ORIGINAL PETITION		0	RUCKER, WILLIAM W. JR.
2/3/2012	ORIGINAL PETITION		0	RUCKER, WILLIAM W. JR.
2/3/2012	ORIGINAL PETITION		0	RUCKER, WILLIAM W. JR.

### SERVICE

Type	Status	Instrument	Person	Requested	Issued	Served	Returned	Received	Tracking	Deliver To
CITATION (SECRETARY OF STATE NON- RESIDENT)	SERVICE RETURN / EXECUTED	ORIGINAL PETITION	HAMILTON, TRAVIS M BY SERVING THE TEXAS SECRETARY OF STATE 1019 BRAZOS STREET AUSTIN TEXAS 78701 FORWARD TO:	2/3/2012	2/6/2012	2/16/2012	3/12/2012	3/26/2012	72748819	MAIL TO ATTORNEY
CITATION (NON- RESIDENT)	SERVICE ISSUED / IN POSSESSION OF SERVING AGENCY	AMENDED ORIGINAL PETITION	HAMILTON, TRAVIS M BY SERVING THE TEXAS SECRETARY OF STATE 1019 BRAZOS STREET AUSTIN TEXAS 78701 FORWARD TO:	3/1/2012	3/5/2012				72758421	MAIL TO ATTORNEY

## ATTACHMENT C

2012-07149 / Court: 165

Filed 12 February 3 P4:04  
Chris Daniel - District Clerk  
Harris County  
ED101J016711546  
By: Nelson Cuero

NO. \_\_\_\_\_

TRANSAMERICA INVESTMENT	§	IN THE DISTRICT COURT OF
GROUP, INC. dba SKY CARGO	§	
SOLUTIONS, INC.	§	
	§	
V.	§	HARRIS COUNTY, TEXAS
	§	
TRAVIS M. HAMILTON	§	_____ JUDICIAL DISTRICT COURT
	§	

**PLAINTIFF'S ORIGINAL PETITION**

TransAmerica Investment Group, Inc. dba Sky Cargo Solutions, Inc. ("Plaintiff") files this suit against Travis M. Hamilton ("Defendant").

**I. DISCOVERY CONTROL PLAN**

1. Plaintiff intends to conduct discovery under Level 2 as set forth in Texas Rule of Civil Procedure 190.3.

**II. PARTIES**

2. Plaintiff is a Texas corporation.

3. Defendant is an individual who conducts business in the State of Texas but who is currently residing in Oklahoma. Defendant has not designated a resident agent for service of process in Texas and may be served by serving the Texas Secretary of State, 1019 Brazos Street, Austin, Texas 78701. Defendant's residence is 6516 North Georgetown Road, Edmond, Oklahoma County, Oklahoma 73034. Citation is requested at this time.

**III. VENUE AND JURISDICTION**

4. Venue is proper in this Harris County as Plaintiff's principal place of business is in this county. This Court has jurisdiction over this cause as Defendant has purposefully availed himself of the privileges and benefits of conducting business in the State of Texas



#### IV. FACTS

5. In May, 2009, Plaintiff was approached by Defendant who needed assistance in finding financing for the purchase and sale of the following six Citation X aircraft:

<u>TITLE</u> <u>ORDER #</u>	<u>PRIOR</u> <u>REG</u>	<u>MSN</u>	<u>YEAR</u>
15998	N770XJ	750-0270	2007
15999	N776XJ	750-0276	2007
16000	N778XJ	750-0278	2007
16001	N784XJ	750-0284	2007
16002	N786XJ	750-0286	2008
16003	N787XJ	750-0287	2008

6. Plaintiff did indeed find financing for Defendant at PNC Bank and the purchase and sale of the foregoing aircraft was consummated in the fall of 2009.

7. Although Defendant originally offered Plaintiff a 1% commission, on July 17, 2009 Defendant contracted in writing to give Plaintiff a fee of \$50,000 for each of the six aircraft, payable as they are sold.

8. Although the six aircraft were subsequently sold, Defendant failed to make any payment to Plaintiff. Plaintiff has made repeated demands for payment but no payment has been forthcoming.

#### V. CAUSES OF ACTION

##### A. Breach of Contract

9. Plaintiff incorporates herein the provisions of Section IV above.

10. Defendant breached his contract with Plaintiff by failing to pay Plaintiff the \$300,000 fee to which Plaintiff was entitled. Plaintiff brings suit hereunder for said \$300,000 fee.

11. Due to Defendant's breach of contract, Plaintiff has been required to retain the undersigned attorney to prosecute its claims against Defendant. Plaintiff also seeks to recover its reasonable attorney's fees under Chapter 38 of the Texas Civil Practice & Remedies Code.

**B. Quantum Meruit.**

12. Plaintiff incorporates herein the provisions of Section IV above.

13. Plaintiff provided services that were accepted by Defendant. Defendant had notice that Plaintiff expected to be paid for its services. Plaintiff brings this suit to recover the reasonable amount of its services, not less than \$300,000.00. Plaintiff also brings suit hereunder to recover its attorney fees.

**VI. CONDITIONS PRECEDENT**

14. All conditions precedent have been performed or have occurred.

**CONCLUSION**

Plaintiff prays that Defendant be cited to appear and answer and the Court award judgment in favor of Plaintiff against Defendants for the following:

- actual damages of not less than \$300,000.00;
- prejudgment interest and post-judgment interest
- reasonable attorney's fees;
- costs of court; and
- all other relief, at law and in equity, to which it is justly entitled.

Respectfully submitted,



William W. Rucker  
TBA No. 17366500



I, Chris Daniel, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.  
Witness my official hand and seal of office  
this February 3, 2012

Certified Document Number: 51252122 Total Pages: 4

Chris Daniel, DISTRICT CLERK  
HARRIS COUNTY, TEXAS

**In accordance with Texas Government Code 406.013 electronically transmitted authenticated documents are valid. If there is a question regarding the validity of this document and or seal please e-mail [support@hcdistrictclerk.com](mailto:support@hcdistrictclerk.com)**

## ATTACHMENT D

Filed 12 March 1 P1:31  
 Chris Daniel - District Clerk  
 Harris County  
 ED101J016754940  
 By: anita perez

Trace Number - ED101J016754940

NO. 201207149

TRANSAMERICA INVESTMENT	§	IN THE DISTRICT COURT OF
GROUP, INC. dba SKY CARGO	§	
SOLUTIONS, INC.	§	
	§	
V.	§	HARRIS COUNTY, TEXAS
	§	
TRAVIS M. HAMILTON	§	<u>165TH</u> JUDICIAL DISTRICT COURT
	§	

### FIRST AMENDED PLAINTIFF'S PETITION

TransAmerica Investment Group, Inc. dba Sky Cargo Solutions, Inc. ("Plaintiff") files this First Amended Plaintiff's Petition suit against Travis M. Hamilton ("Defendant").

#### **I. DISCOVERY CONTROL PLAN**

1. Plaintiff intends to conduct discovery under Level 2 as set forth in Texas Rule of Civil Procedure 190.3.

#### **II. PARTIES**

2. Plaintiff is a Texas corporation.

3. Defendant is an individual who conducts business in the State of Texas but who is currently residing in Oklahoma. Defendant has not designated a resident agent for service of process in Texas and may be served by serving the Texas Secretary of State, 1019 Brazos Street, Austin, Texas 78701. Defendant's residence is 5616 North Georgetown Road, Edmond, Oklahoma County, Oklahoma 73034. Citation is requested at this time.

#### **III. VENUE AND JURISDICTION**

4. Venue is proper in this Harris County as Plaintiff's principal place of business is in this county. This Court has jurisdiction over this cause as Defendant has purposefully availed himself of the privileges and benefits of conducting business in the State of Texas

#### IV. FACTS

5. In May, 2009, Plaintiff was approached by Defendant who needed assistance in finding financing for the purchase and sale of the following six Citation X aircraft:

<u>TITLE ORDER #</u>	<u>PRIOR REG</u>	<u>MSN</u>	<u>YEAR</u>
15998	N770XJ	750-0270	2007
15999	N776XJ	750-0276	2007
16000	N778XJ	750-0278	2007
16001	N784XJ	750-0284	2007
16002	N786XJ	750-0286	2008
16003	N787XJ	750-0287	2008

6. Plaintiff did indeed find financing for Defendant at PNC Bank and the purchase and sale of the foregoing aircraft was consummated in the fall of 2009.

7. Although Defendant originally offered Plaintiff a 1% commission, on July 17, 2009 Defendant contracted in writing to give Plaintiff a fee of \$50,000 for each of the six aircraft, payable as they are sold.

8. Although the six aircraft were subsequently sold, Defendant failed to make any payment to Plaintiff. Plaintiff has made repeated demands for payment but no payment has been forthcoming.

#### V. CAUSES OF ACTION

##### A. Breach of Contract

9. Plaintiff incorporates herein the provisions of Section IV above.

10. Defendant breached his contract with Plaintiff by failing to pay Plaintiff the \$300,000 fee to which Plaintiff was entitled. Plaintiff brings suit hereunder for said \$300,000 fee.

11. Due to Defendant's breach of contract, Plaintiff has been required to retain the undersigned attorney to prosecute its claims against Defendant. Plaintiff also seeks to recover its reasonable attorney's fees under Chapter 38 of the Texas Civil Practice & Remedies Code.

**B. Quantum Meruit:**

12. Plaintiff incorporates herein the provisions of Section IV above.

13. Plaintiff provided services that were accepted by Defendant. Defendant had notice that Plaintiff expected to be paid for its services. Plaintiff brings this suit to recover the reasonable amount of its services, not less than \$300,000.00. Plaintiff also brings suit hereunder to recover its attorney fees.

**VI. CONDITIONS PRECEDENT**

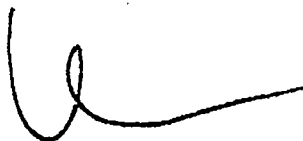
14. All conditions precedent have been performed or have occurred.

**CONCLUSION**

Plaintiff prays that Defendant be cited to appear and answer and the Court award judgment in favor of Plaintiff against Defendants for the following:

- actual damages of not less than \$300,000.00;
- prejudgment interest and post-judgment interest
- reasonable attorney's fees;
- costs of court; and
- all other relief, at law and in equity, to which it is justly entitled.

Respectfully submitted,



William W. Rucker  
TBA No. 17366500

3355 West Alabama, Suite 825  
Houston, TX 77098  
Telephone: 713-528-2800  
Facsimile: 713-528-5011  
Attorney for Plaintiff,  
TransAmerica Investment Group, Inc.





I, Chris Daniel, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.  
Witness my official hand and seal of office this March 6, 2012

Certified Document Number: 51504710

Chris Daniel, DISTRICT CLERK  
HARRIS COUNTY, TEXAS

In accordance with Texas Government Code 406.013 electronically transmitted authenticated documents are valid. If there is a question regarding the validity of this document and or seal please e-mail [support@hcdistrictclerk.com](mailto:support@hcdistrictclerk.com)

## ATTACHMENT E



PC

# The State of Texas

Secretary of State

2012-210394-1

**FILED**  
Chris Daniel  
District Clerk  
MAR 12 2012  
Time: \_\_\_\_\_  
By \_\_\_\_\_  
Harris County, Texas  
Deputy

I, the undersigned, as Secretary of State of Texas DO HEREBY CERTIFY that according to the records of this office, a copy of the Citation and Plaintiff's Original Petition in the cause styled:

Transamerica Investment Group Inc dba Sky Cargo S VS Travis M  
Hamilton  
165th Judicial District Court Of Harris County, Texas  
Cause No: 201207149

was received by this office on February 13, 2012, and that a copy was forwarded on February 16, 2012, by CERTIFIED MAIL, return receipt requested to:

Travis M Hamilton  
6516 North Georgetown Road  
Edmond, OK 73034

The RETURN RECEIPT was received in this office dated February 23, 2012, bearing the Signature Of Addressee's Agent.

**FILED**  
Chris Daniel  
District Clerk  
MAR 12 2012  
Time: \_\_\_\_\_  
By \_\_\_\_\_  
Harris County, Texas  
Deputy

Date issued: February 28, 2012



*Hope Andrade*

Hope Andrade  
Secretary of State

RECORDER'S MEMORANDUM  
This instrument is of poor quality  
at the time of imaging

ST/lsv

# The State of Texas



Citations Unit  
P.O. Box 12079  
Austin, Texas 78711-2079

Phone: 512-463-5560  
Fax: 512-463-0873  
TTY (800) 735-2989  
[www.sos.state.tx.us](http://www.sos.state.tx.us)

## Secretary of State

February 28, 2012

William W. Rucker, Jr.  
William W Rucker Attorney At Law  
3355 West Alabama Ste 825  
Houston, TX 77098

**2012-210394**

Include reference number in  
all correspondence

RE: Transamerica Investment Group Inc dba Sky Cargo S VS Travis M Hamilton  
165th Judicial District Court Of Harris County, Texas  
Cause No: 201207149

**FILED**

Chris Daniel  
District Clerk

MAR 1 2 2012

Time: \_\_\_\_\_

By \_\_\_\_\_

Harris County, Texas

Deputy

Dear Sir/Madam:

Please find enclosed your Certificate(s) of Service for the case styled above.

If this office may be of further assistance to you, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, reading "Louis S. Villarreal".

Louis S. Villarreal  
Citations Unit

Enclosure